

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIO MARADIAGA BENAVIDEZ, aka
MARIO MARTINEZ-MORENO,
(Agency # 73-242-034),

Petitioner,

v.

ALBERTO GONZALES, Attorney General
of the United States; MICHAEL
CHERTOFF, Secretary of U.S. Department
of Homeland Security; EMILIO T.
GONZALEZ, Director, U.S. Citizenship and
Immigration Services; and A. NEIL
CLARK, Field Office Director of
Immigration and Customs Enforcement,

Respondents.

No. C07-00463-RSL-MAT

**JOINT STIPULATION EXTENDING
STAY**

On March 28, 2007, Petitioner filed a habeas petition seeking, among other things, the issuance of a Form I-290C, release from custody, and a stay of removal. On March 29, the Court ordered the Defendants to show cause why the Petition should not be granted. *See* Dkt. No. 3. Defendants subsequently received an extension of time to respond to the order. *See* Dkt. No. 13.

On April 30, 2007, the United States Citizenship and Immigration Services issued a Form I-290C. On May 14, 2007, the Court stayed the proceedings to allow for a custody determination to be made. *See* Dkt. 17. On May 15, 2007, Petitioner was released on bond.

The parties now respectfully request that the proceedings continue to be stayed for a period of 30 days in light of the fact that Petitioner's I-246 stay application remains pending in the immigration proceedings, and no determination has been made yet on the application. Therefore, the parties, by and through their respective attorneys, hereby STIPULATE, AGREE, and JOINTLY REQUEST that the proceedings be stayed for a period of 30 days from the date that this order is entered, and that the Defendants have until that time to show cause and to respond to the Petition.

Dated this 21st day of May, 2007.

JEFFREY C. SULLIVAN
United States Attorney

GIBBS HOUSTON PAUW

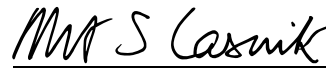
/s/ Thomas M. Woods
THOMAS M. WOODS
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Phone: 206-553-7970
Fax: 206-553-4073
E-mail: thomas.woods2@usdoj.gov
Attorneys for Defendants

/s/ Robert H. Gibbs
Robert H. Gibbs
GIBBS HOUSTON PAUW
1000 Second Avenue, Suite 1600
Seattle, Washington 98104
Phone: 206-682-1080
Fax: 206-689-2270
E-mail: rgibbs@ghp-law.net
Attorneys for Plaintiff

ORDER

The parties having so stipulated, the above is **SO ORDERED**. The Clerk is directed to send copies of this Order to all counsel of record.

DATED this 22nd day of May, 2007.


Robert S. Lasnik
United States District Judge

Recommended for Entry
this 21st day of May, 2007.

s/ Mary Alice Theiler
United States Magistrate Judge